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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,888	08/15/2001	Takehiko Nakano	SONYJP 3.0-199	9309

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EXAMINER

BATURAY, ALICIA

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 12/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/929,888

Applicant(s)

NAKANO ET AL.

Examiner

Alicia Baturay

Art Unit

2155

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 13 November 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 1-19.

Claim(s) withdrawn from consideration: None.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant Argues: The cited sections of Nickum therefore do not disclose or suggest identification information corresponding to a given one of a plurality of a plurality of control devices, and do not disclose or suggest identification information corresponding to a further one of a plurality of control devices.

In Response: The examiner respectfully submits that Nickum teaches identification information (an individualized identifying signal incorporated into the conventional circuitry) corresponding to a given one of a plurality of a plurality of control devices (each remote control device has an individualized identifying signal incorporated into the conventional circuitry – see Nickum, col. 8, lines 36-46) and identification information (an individualized identifying signal incorporated into the conventional circuitry) corresponding to a further one of a plurality of control devices (each remote control device has an individualized identifying signal incorporated into the conventional circuitry – see Nickum, col. 8, lines 36-46).

Applicant Argues: Therefore, the relied-on sections of Nickum do not disclose or suggest an identification number corresponding to a selected one of a plurality of controlled hardware portions, and the relied-on sections of Nickum do not disclose or suggest an identification number corresponding to a further one of a plurality of controlled hardware portions.

In Response: The examiner respectfully submits that Nickum teaches an identification number (an individualized identifying signal incorporated into the conventional circuitry) corresponding to a selected one of a plurality of controlled hardware portions (in order to reference the proper user profile and assigned viewing restrictions – see Nickum, col. 8, lines 34-46) and an identification number (an individualized identifying signal incorporated into the conventional circuitry) corresponding to a further one of a plurality of controlled hardware portions (in order to reference the proper user profile and assigned viewing restrictions – see Nickum, col. 8, lines 34-46).

Applicant Argues: The cited sections of Nickum therefore do not disclose or suggest a control correspondence table.

In Response: The examiner respectfully submits that Nickum teaches a control correspondence table (each remote control device has an individualized identifying signal incorporated in the conventional circuitry. Each user selection is then accompanied by the identifying signal, which is then translated by the circuitry in the television or attached device in order to reference the proper user profile and assigned viewing restrictions – see Nickum, col. 8, lines 34-46). The fact that the individualized identifying signal of a remote is translated by the television or attached device in order to reference the proper profile and assigned viewing restrictions implies that there is a correspondence between the individualized identifying signal and the proper profile and assigned viewing restrictions. The Nickum reference suggests that there can be any number of remote control devices (each user can customize a remote control device for their own particular tastes in television programming – see Nickum, col. 6, lines 61-62) and thus any number of user profiles (each viewer activates their particular customized viewer profile – see Nickum, col. 6, lines 65-67), so there should be a table of correspondence in the television circuitry or the attached device linking each remote control device, with its individualized identifying signal, to its corresponding proper user profile and assigned viewing restrictions.